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# THE “BANALITY OF EVIL” REFRAMED: The Social Construction of the “Final Solution” to the “Jewish Problem”

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Research on the Nazi Holocaust against the Jews has arguably been dominated by historians. Yet many historians remain confounded by the Holocaust's major paradox: the “banality of evil” that occurred during the Nazi regime. In this article I argue that understanding of the “banality of evil” paradox can be advanced by reframing previously unsynthesized research in terms of a constructionist theory of social problems. I view the “Jewish problem” and its “final solution” as having a “natural history” that is characterized by the development and unfolding of claims about problems and the formulation and implementation of solutions to problems. I trace the construction of the “Jew” throughout history and as it was identified, acknowledged, and applied in a particular sociocultural and political context. By providing the first application of constructionism to a genocidal event, I show that the social processes that construct genocide parallel those that construct other social problems, and that it is precisely this correspondence that makes the construction of the “Jewish problem” and its “final solution” banal.

Elie Wiesel has been the most eloquent representative of the view that the Nazi Holocaust against the Jews was “a sacred and essentially incomprehensible event” and that the discourse of science “fails before the suffering of the victims” (Freeman 1991, p. 187).<sup>1</sup> Historical scholars are respectful of this position and acknowledge that the “horrors and brutalities” of the Holocaust are difficult to comprehend “because we cannot imagine ourselves experiencing them” (Bauer 1990, p. 17). Yet they caution against reifying the *endlösung* or “final solution”—the state-sponsored program of Jewish extermination—as mysterious or unexplainable (Bauer 1990; Marrus 1987).

Historians have arguably dominated research on the Holocaust, while sociologists have conducted comparatively few studies (Dadrian 1990). Historians have contextualized the Nazi period in terms of the evolution of German nationalism, and they have compared Nazism with other fascistic and totalitarian regimes and compared the “final solution” with other genocidal events (Astourian 1990; Bauer 1991a; Chalk and Jonassohn 1990; Friedlander 1989; Katz 1989; Mayer 1989; Maier 1988). In addition, historians have

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reconstructed the short-term events that led up to the "final solution" and have developed two "schools of thought" on this facet of the historical record (Browning 1989; Friedlander 1989). "Intentionalist" historians view Hitler as the "sole strategist" whose order to begin mass murdering the Jews in 1941 flowed directly from the plan he outlined nearly two decades earlier in *Mein Kampf* (Marrus 1987, p. 35). In contrast, "functionalist" historians portray Hitler as less involved in the development and implementation of anti-Jewish policies. They focus instead on the bureaucratic functionaries who often improvised and competed with each other to devise the most efficient means of removing the Jews from the Third Reich.

In spite of their research, many historians still find the Holocaust inscrutable. They continue to search for "a convincing explanatory framework in which to fit the slaughter" (Hayes 1991, p. 1) and for a degree of "moral certainty" regarding the "definition of evil" that will uncover "the ultimate truths of the behavior of men toward other men" (Hilberg 1991, p. 19; Lang 1991; Mommsen 1991). In my view, what seems to have confounded some historians is the very "banality of evil" that constituted the Holocaust. The "banality of evil" corresponds to what Schmitt (1989, p. 288) identifies as "the major paradox of the Holocaust," that evil was accomplished by "ordinary persons [acting] in ordinary contexts."<sup>2</sup>

Friedlander (1991, p. 29) expresses dissatisfaction with the "conceptual fuzziness" of the "banality of evil" concept, which seems to suggest that "we all share common propensities" that could lead us to do evil under certain circumstances. Though a historian, he pursues analysis of this paradox by raising questions about the "mind-set" of the Nazis and about the "psychological dimension" of human behavior (pp. 25, 29). From a sociological perspective, however, the "banality of evil" needs to be understood as a social process.<sup>3</sup> To be sure, historians have made significant contributions to understanding the social dimensions of the Holocaust. Yet research bearing on the "banality of evil" appears in the historical literature in piecemeal fashion and has not been integrated into a coherent theoretical framework.

In this article I argue that understanding of the "banality of evil" paradox can be advanced by reframing existing historical research in terms of a distinctly sociological theory of *social problems construction*. Social problems constructionism defines all social problems as "the activities of individuals or groups making assertions of grievances and claims with respect to some putative condition" (Spector and Kitsuse 1987, p. 75) and focuses on the processes by which social problems are "identified, acknowledged, and translated into action" (Rafter 1992a, p. 18).

Some sociologists have attempted to analyze the Holocaust by developing a general social theory of genocide. For instance, Dadrian (1990) proposes a model of structural, functional, and sequential processes that describe the genesis, initiation, and enactment of genocidal actions (see Chalk and Jonassohn 1990; Horowitz 1984). But if the Holocaust was, in fact, constituted by the ordinary or banal, it should be explicable in terms that are common to other social problems. By providing the first application of constructionism to a genocidal event, I show that the social processes that construct genocide parallel those that construct other social problems, and that it is precisely this correspondence that makes the construction of the "Jewish problem" and its "final solution" banal.

## REFRAMING THE "BANALITY OF EVIL" PARADOX

Constructionism in social problems theory shares with other subjectivist perspectives (e.g., symbolic interaction, phenomenology, ethnomethodology) a concern with understanding the social order as a practical accomplishment of concerted human activity and with understanding how actors assign meaning to their worlds (see Best 1989; Turner 1991). Recently, however, constructionists have split into two camps, strict constructionism and contextual constructionism, that differ over the extent to which analysts allow themselves to theorize outside of claims-makers' perceptual frameworks (Best 1989; Rafter 1992a, 1992b; Troyer 1992). Strict constructionists emphasize the ascertainment and description of members' conceptions and actions and treat historical accounts themselves as social constructions (Troyer 1992). Contextual constructionists, on the other hand, are more inclined to evaluate claims-makers' assertions and to examine the socio-historical conditions in which claims-making activities emerge, although they do not allow conditions to become the focus of their analyses. In Rafter's (1992b) view, the concerns of strict constructionism tend to isolate sociologists from historical research that can advance understanding of social problems construction.

In this article I do not attempt to engage the epistemological controversies over constructionism (see Hazelrigg 1986) nor advance the "original" theoretical project of strict constructionism (see Troyer 1992, p. 35). Rather I appropriate constructionism as an analytic tool or flexible "sensitizing scheme" (see Best 1989; Turner 1991, p. 10) that allows me to reframe historians' constructions in order to illuminate the "banality of evil" as an instance of social problems construction.

My analysis follows constructionists who observe that social problems have a "natural history" that is characterized by the development and unfolding of claims about problems and the formulation and implementation of solutions to problems (Spector and Kitsuse 1987). Importantly, as Blumer (1971, p. 303) notes, what emerges at the end of this process "may be a far cry from how the problem was viewed in the earlier stage of its career." However, previous studies of social problems construction examine problems with relatively short histories. In this article I trace the construction of the "Jew" throughout history and as it was identified, acknowledged, and applied in a particular socio-cultural and political context in Germany. More specifically, I reframe historical research on religious and secular claims about Jews, the German public's response to these claims, the evolution of the program of practical solutions, and the bureaucratic-organizational dynamics underlying the implementation of solutions.

My analysis also follows Miller and Holstein (1989) and Loseke (1992), who expand the discourse of social problems constructionism to include concepts derived from Durkheim (1965), Schutz (1962), and Douglas (1986). For instance, Loseke (1992, p. 3) defines social problems as "collective representations" or "publicly standardized cultural categorization systems" that construct or typify particular kinds of individuals as "problems." Collective representations provide simplifying "schemes of interpretation" that enable members to view a heterogeneous group of individuals as constituting a homogeneous category of persons who *prima facie* warrant particular kinds of treatment (see Goffman 1961).

Previous studies of contemporary American problems emphasize the ways in which particular types of persons are constructed as victims who are morally deserving of public sympathy (e.g., abused children, battered women, rape victims) and whose suffering

justifies remedial social action (Best 1989; Loseke 1992; Pfohl 1977; Rose 1977; Tierney 1982). In this article I examine an obverse type of construction that was applied to an entire ethnic group: In Nazi Germany *all* Jews were constructed as a category of persons who victimized others, who were morally unworthy of sympathy, and whose continued presence constituted a problem that needed solution. The "Jew" as a social type was not merely an unsympathetic character, but a despised and less-than-human (dehumanized) being who remained outside of society's universe of moral obligation, i.e., "that circle of people with reciprocal obligations to protect each other" (Fein 1979, p. 4). As my analysis will show, a dehumanized group like the Jews can be created, isolated, and exterminated through social processes that are in themselves quite ordinary or banal.

### CONSTRUCTING THE "JEWISH PROBLEM"

Loseke (1992) observes that claims about social problems are not constructed out of "whole cloth," but out of ingrained cultural traditions. Nazism drew upon a long-standing tradition of antisemitism rooted in religious hostility and combined it with German nationalism and modern biological racism to articulate a powerful collective representation of the "Jew." This collective representation defined Jews and Germans in "complementary opposition," as groups whose motives and interests were diametrically opposed to each other (see Douglas 1986; Miller and Holstein 1989, p. 8).

#### Christian Claims and European Discontents

The general features of an oppositional collective representation of the "Jew" did not originate in Germany. Historical constructions indicate that for centuries Judaism and Christianity were each others' "disconfirming other," whereby belief in the veracity of one required belief in the falsity of the other (Rubenstein and Roth 1987, p. 43). While Jews remained a powerless minority in Christian-dominated societies, their continued presence posed a "permanent challenge" for Christians who "could not reproduce [themselves] . . . without guarding and reinforcing Jewish estrangement" (Bauman 1989, pp. 37–38).

The collective representation of the "Jew" was constituted in Christian culture by claims about Jewish responsibility for a host of horrific acts. In addition to holding the Jewish people almost exclusively responsible for Christ's death, Jews were accused of engaging in "blood libel" (i.e., the murdering of Christian children for religious purposes), desecrating the body of Christ (i.e., despoiling the Christian sacraments of bread and wine), poisoning wells, and spreading plagues and famines (Rubenstein and Roth 1987).

As a discriminated class Jews sought their economic survival in areas such as commerce and finance that were anathema to pious Christians. But their very success in these areas bred resentment. More importantly, Jews were perceived as unlike any other minority group, for the threat they posed did not emanate from local conditions of friction or conflict with the dominant population. Rather the Jewish threat was ubiquitous, vague, and diffuse; and hostility toward Jews could be found among people who had never "set eyes on [them] and in countries where Jews [had not lived] for centuries" (Cohn 1967, p. 252). Thus the oppositional collective representation of the "Jew" could be used to account for a multitude of local problems precisely because it was "not causally related to any" (Bauman 1989, p. 41).

The Enlightenment and modernization facilitated a lessening, at least in outward ap-

pearances, of inter-group differences between Jews and non-Jews in Europe (Rubenstein and Roth 1987). Jews achieved a degree of formal political emancipation and began to assimilate economically and culturally. But according to historical accounts, throughout Europe they remained a "lightning rod" for the social strains and discontents of the modern era (Volkov 1989). The "Jew" remained a symbolic construct, "an image construed as compromising and defying the order of things, . . . the prototype and arch-pattern of all nonconformity, heterodoxy, anomaly and aberration" (Bauman 1989, p. 39). As such, Jews became the object of "two mutually opposed and contradictory class antagonisms" (p. 43). They were both carriers of liberalism and of bolshevism, capitalists as well as communists, who were despised both for flaunting their enormous wealth and social superiority and for miring in poverty and being uncouth and diseased. In Douglas's (1966, p. 113) terms, the "Jew" was endowed with "pollution powers" and was the embodiment of all that was profane.

### German Nationalism and Nazi Claims

Historical constructions link the particular German variant of the oppositional collective representation of the "Jew" to the sixteenth century writings of Martin Luther, who denounced the Jews as Germany's special "plague," "pestilence," and "misfortune" (cited in Rose 1990, p. 7).<sup>4</sup> According to Rose, Luther claimed that:

The Jews . . . were blocking the Germans' need to fulfill themselves in achieving both their "Christian freedom" and their political "freedom". . . . Having crucified Jesus, they were . . . intent on crucifying the German people. . . . Morally, the Jews were the worldly agents of the devil. . . . Materially, [they] were extorting money from . . . [the] German nation. . . . Germany's redemption [meant] her redemption from the Jews and Judaism (pp. 4, 8).

In the modern period Jews continued to be perceived as a distinct social group and resented as a "'foreign nation' that lived symbiotically within German society" (p. 67). Jews became a symbolic "code" for the *Weltanschauung* of the political right, which began to define the "Jewish character" and the "German character" in complementary opposition (Volkov 1989, p. 43). In this way hostility toward the Jews played a constitutive role in the establishment of German national self-identity. As Tal (1975, p. 276) observes:

Jewish character was not only corrupt and evil; it was the essence of corruption and the principle of evil. . . . Conversely, . . . German character was not only deep, upright, diligent, and enterprising but the essence of profundity, probity, industry, and courage.

By the late nineteenth and early twentieth centuries the religious-based collective representation of the "Jew" was laid upon a new foundation and given a pseudoscientific legitimacy through various interpretations of modern biology and anthropology (Rose 1990; Yahil 1990). In Nazi doctrine race was viewed as the basic element of human society.

It was because of their race that [individuals] acted for good or bad and tended toward survival or extinction. When citizens were corrupted by the rule of an inferior race, government was corrupted. When they were governed by a positive and lofty race . . . they enhanced humankind, its society, and its culture (Yahil 1990, p. 37).



In this context Nazi opposition to the Jews could be conceived as derivative of a more general quest to achieve a racially pure "Aryan" society that excluded all "non-Aryans," not only Jews, but other "inferior" groups as well (e.g., gypsies, blacks, the disabled) (Milton 1990). Nevertheless, the Jews remained the primary focus of this quest and of Nazi claims about what ailed Germany.

Before Hitler came to power, he observed that all successful revolutions required an object of hatred that could "conduct and channel the odium of the general masses" (quoted in Rose 1990, p. 379). With this in mind, he remarked:

. . . I scanned the revolutionary events of history and . . . [asked] myself: against which racial element in Germany can I unleash my propaganda of hate with the greatest prospects of success? . . . I came to the conclusion that a campaign against the Jews would be as popular as it would be successful (p. 379).

After Hitler came to power, the Nazis established the Reich Ministry of Public Enlightenment and Propaganda. Under the direction of Joseph Goebbels, this apparatus systematically promoted and crystalized popular anti-Jewish sentiment through the radio, press, arts, and schools (Baird 1974; Welch 1983).

The Nazis emphasized three themes in their claims-making activities that constructed the "Jewish problem." They claimed that: 1. the Jews were responsible for an international conspiracy of powerful financial interests that were plotting to destroy Germany and rule the world;<sup>5</sup> 2. the Jews were a criminal class of people who destroyed the social fabric from within through rampant thievery and murder (including ritual murder); and 3. the Jews were biologically inferior people who promoted disease and unhealthful hygiene that threatened to infect the entire German population (Hilberg 1985). On the basis of these claims, the Nazis also held the Jews responsible for Germany's military defeat in World War I, for the humiliating terms of the Versailles Treaty, and for Germany's economic, political, and social problems in the 1920s and 1930s. As the events of World War II unfolded, the Jews were identified as the enemy from "within" who was aligned with Germany's "external" foes (Dadrian 1990).

### THE PUBLIC RESPONSE TO NAZI CLAIMS

Social problems claims-making involves the construction of collective representations of types of persons who constitute a problem. However, successful claims-making ultimately requires public acknowledgment and endorsement if it is to achieve legitimacy and "move forward in its career. . . . [Otherwise] it flounders and languishes outside the arena of public action" (Blumer 1971, p. 303; Loseke 1992). Importantly, in the case of Nazi claims, it was this public endorsement that helped make the anti-Jewish campaign banal.

### Support for Anti-Jewish Policies

Tec (1986) distinguishes between public support for specific actions directed at the Jews and adherence to a more diffuse or free-floating cultural antisemitism. This latter sentiment was constituted by what Schutz (1962) describes as a taken-for-granted or "natural attitude" that goes unchallenged until a problematic situation arises. Knowledge of the "final solution" was such a problematic situation for many Germans. But until they were

confronted with irrefutable evidence regarding the Nazis' extermination plans, many Germans remained indifferent to, if not passively complicit with, the Nazis' policy toward the Jews (Kershaw 1983; Kulka and Rodrique 1984).

Historical accounts indicate that the Nazis were well aware of the limits of popular support for the "final solution," and that they took measures to suppress information about the extermination camps (Hilberg 1985; Marrus 1987; Steinert 1977). But while many (if not most) Germans may have felt repelled if they had known about the "final solution," they were hardly "unaware of the anti-Jewish legislation and other measures that undermined or destroyed the preconditions for the survival of their former neighbors" (Mommesen 1991, p. 143). As Bauman (1989, pp. 75–76) notes, many Germans supported "an energetic and vociferously advertised action aimed at the segregation, separation, and disempowering of the Jews," for they accepted the claims that it was the Jews who "stood between this one imperfect and tension-ridden reality and the hoped-for world of tranquil happiness."<sup>6</sup>

In this regard, the views expressed by a German architect in an interview with Hughes (1962) after the war may have represented many Germans' sentiments. At first the architect expressed shame for what "my people" did, noting that "we didn't know about [the exterminations]. We only learned about all that later" (p. 5). However, he quickly added that:

. . . Jews, they were a problem. . . . You should see them in Poland; the lowest class of people, full of lice, dirty and poor. . . . They came here, and got rich by unbelievable methods after the first war. They occupied all the good places . . . in medicine and law and government. . . . [What the Nazis did] . . . was no way to settle the Jewish problem. But there was a problem and it had to be settled some way (p. 5).

According to Hughes, the architect's remarks suggest the extent to which those "who do the dirty work of society . . . [may be] acting as agents for the rest" (p. 7). Having declared the Jews a problem, the architect "was willing to let someone else do . . . the dirty work which he himself would not do and for which he expressed shame."

Moreover, the banality of the public's response is also suggested by many Germans who experienced the Nazi era as "liberating, ecstatic, and empowering" (Patterson 1991, p. 404). As one citizen recollects:

To be honest . . . I wasn't really against the Nazis at that particular time. I often found their methods appalling . . . [but the] truth is, all that business about the "unity of the German people" and the "national rebirth," really impressed me (quoted in Engelmann 1986, p. 15).

Another person remembers the 1930s this way:

Of course later on we found out that mistakes had been made, that certain things happened that shouldn't have. But to this day I'm absolutely sure the Führer himself never wanted those things to happen and probably didn't know about them. . . . [H]e really did accomplish the impossible! Millions of desperate people found new happiness, got decent jobs, and could face the future once more without fear (quoted in Engelmann 1986, p. 189).



### Providing Denunciations

Recent historical constructions indicate that the Nazi's anti-Jewish campaign was supported not merely through public indifference or passivity, but by citizens' active participation in the practical work of identifying specific individuals who constituted the "Jewish problem" (Gellately 1988, 1991). Successful implementation of solutions to the "Jewish problem" were in large part dependent upon citizens providing the state with voluntary denunciations of others. The banality of this participation is suggested by the way in which anti-Jewish law enforcement operated much like conventional law enforcement, where the majority of police interventions occur in response to citizen initiatives (Reiss 1971).

Citizen compliance with Nazi policy was not simply the product of state-sponsored terror (Gellately 1991). Political repression, even in a totalitarian regime such as the Third Reich, does not operate exclusively from top to bottom. Rather, repression involves a "dynamic interaction between 'above' and 'below'" and a degree of public cooperation that the state is not able to command on its own (p. 26; see Foucault 1980). Though the Nazis had a "reputation for brutality . . . [they] lacked the physical resources to exercise surveillance on the vast majority of the population" (Gellately 1988, p. 661).

The Gestapo was the bureaucratic unit empowered by the Nazis to "investigate and suppress all anti-State tendencies," and it was especially active in enforcing anti-Jewish laws (p. 654). In addition to traditional criminal matters, it concerned itself with political crimes involving resistance to the regime (including "malicious gossip") and with violations of various antisemitic policies (including "racial mixing" or "race defilement," i.e., social and sexual relations across appropriate ethnic lines). Historical constructions using Gestapo case files indicate a high proportion of unsolicited informing by the German public (Gellately 1988; Weyrauch 1986). Mann estimates that a minimum of 26 to 33 percent of the cases were initiated by citizens (cited in Gellately 1988). In race-related cases in particular, Gellately (1988) reports that 57 percent of the cases were initiated by citizens. At times the Gestapo was so flooded with false accusations that government officials had to issue a warning not to misuse denunciations for personal gain. Ironically, Hitler even complained that "we are living at present in a sea of denunciations and human meanness" (quoted in Gellately 1988, p. 679).<sup>7</sup> Indeed, much of the fear experienced by people during the Nazi era was fear of being denounced by fellow citizens (Allen 1965; Engelmann 1986).

### CONSTRUCTING SOLUTIONS TO THE "JEWISH PROBLEM"

Constructionists who have examined the "natural history" of social problems development emphasize its "problematic and uncertain" nature (Spector and Kitsuse 1987, p. 142). At the same time, Loseke (1992) argues that specific contents of social problem collective representations warrant particular kinds of solutions. In the case of the Jews, the Nazis' radical oppositional collective representation suggested equally radical measures to isolate and remove Jews from German society. But according to "functionalist" historians' constructions, even Hitler may not have envisioned the extermination program when he first wrote *Mein Kampf* in 1923–1924, when he became Chancellor in 1933, or when he invaded Poland in 1939. Indeed, the preliminary measures taken by the Nazis were quite ordinary in their consistency with historical precedent (Hilberg 1985). Except for the

"final solution" itself, the Nazis invented relatively little and relied on the practical experience of church authorities and secular governments that had previously dealt with the "Jewish problem."

### The Legal Solution

Social movements often perceive law reform as the primary means of achieving their social change goals (Handler 1978). The law not only gives commands and issues sanctions for rule violation, but also confers legitimacy on new social norms (Kidder 1983). To be sure, Hitler and other high-ranking Nazi officials countenanced and at times encouraged hooliganism and random violence directed at the Jews. But they preferred more systematic, legalized measures to acquire public support for their anti-Jewish policies (Mommensen 1986).

In the Spring of 1933 the Nazis began to construct a legal solution to the "Jewish problem" through a program of legislative discrimination that barred "non-Aryans" from civil service positions and the legal profession, and that instituted quotas in German educational institutions. However, the most immediate difficulty that confronted the Nazis was the construction of a legal definition of the target population.

Hacking (1986, p. 236) observes that particular types of human beings "come into being . . . with our invention of the categories labeling them." While the legal definitions constructed by the Nazis were rather arbitrary, they laid the foundation for the entire anti-Jewish campaign. For instance, in April 1933 an "implementation order" to the "Law for the Restoration of the Professional Civil Service" defined "non-Aryan" as a person "descended from non-Aryan, particularly Jewish, parents or grandparents," even if only one parent or grandparent fit into that category (Yahil 1990, p. 65).<sup>8</sup> However, this definition posed practical problems for administrators who had difficulty identifying "non-Aryans" on the basis of one grandparent's identity. It also raised objections from non-Aryan nations (e.g., Japan) with whom Germany wished to curry favor.

In September 1935 the "Nuremberg Laws" were passed to restrict Reich citizenship to persons of "German or kindred blood" and to exclude Jews from citizenship, prohibit marriage and sexual relations between Jews and "Germans or kindred blood," and forbid Jews from flying the Reich flag (cited in Yahil 1990, p. 72). Although the term "Jew" replaced "non-Aryan," a precise definition was yet to be developed. Supplemental legislation passed two months later defined a Jew as a person "descended from at least three grandparents who were full Jews by race," and a *Mischling* (mixed blood) as a person "descended from two full Jewish grandparents" and who either belonged to the "Jewish religious community" as of 15 September 1935 or thereafter, or married to a Jew as of 15 September 1935 or thereafter (pp. 72–73). A *Mischling* also included a person who was an offspring from a marriage with a Jew that had taken place as of 15 September 1935 or thereafter, or was an offspring of nonmarital intercourse with a Jew and born after 31 July 1936.

In an important sense the Nuremberg Laws provided an operational definition that brought the "Jew" into being and juridically constituted Jewish inferiority as a distinct category of reality. At the same time, these laws remained a far cry from the "final solution." Although Hitler and the Nazi elite may have envisioned them as but one step toward the eventual goal of purging Jews from the Third Reich, the German Information Agency reported that:

. . . German people [have] no objection to the Jew as long as he wishes to be a member of the Jewish people and acts accordingly, but . . . [we decline] to look on the Jew as a national of the German Nation . . . and to accord him the same rights and duties as a German (cited in Yahil 1990, p. 72).

Thus the new laws could be perceived as offering German Jews the opportunity to establish themselves as a "national minority" comparable to discriminated minorities in other countries (see Mommsen 1986, p. 103). Some Jews even regarded the legal solution as acceptable because they viewed them, as one survivor recalls, "as a sort of guarantee, . . . a definitive legal adjustment, which would make it possible for [us] to remain in . . . the homeland that meant so much to [us]" (quoted in Engelmann 1986, p. 80).

### The Emigration Solution

In addition to their legislative program, in 1934 the Nazis began to pursue a policy of encouraging Jewish emigration. At this time, however, the Nazi leadership remained divided on this issue, for some officials were concerned that Jewish emigration might "stir up opposition to Germany abroad" (Yahil 1990, p. 91). In addition, an emigration tax that had been put in place before Hitler came to power, and the Nazis' reluctance to relinquish emigrants' assets, provided disincentives for Jews who might have otherwise been anxious to leave. Moreover, other countries (including the United States and Great Britain) were reluctant to accept Jewish immigrants (Breitman and Kraut 1987; Wyman 1984), and a significant number of Jews felt it was important to stay and try to ensure the survival of the Jewish community in Germany (Yahil 1990).

Nevertheless, in 1937–1938 the Nazis accelerated their emigration policy and consolidated the management of Jewish emigration in a special office of the Gestapo and SD (*Sicherheitsdienst* or Security Service). In order to encourage Jewish flight, they imposed more restrictive legislation and economic hardship and escalated their terror campaign.<sup>9</sup> In Austria, Adolf Eichmann, the leading expert on Jewish affairs, introduced a policy of forced emigration. Still, the Nazis were concerned that it might take eight to ten years to accomplish full emigration of German Jews (Yahil 1990).

### The "Final Solution"

The contingent nature of social problems development that has been noted by constructionists (Spector and Kitsuse 1987) is mirrored in historians' constructions of the events that culminated in the "final solution." According to these accounts, the conquest of Poland in September 1939, with its large Jewish population, complicated Hitler's desire to establish German "living space" (*Lebensraum*) in eastern Europe, and made expulsion from German-occupied territories more difficult to accomplish. Similar problems accrued as the Nazis expanded their influence in western Europe. Nevertheless, as late as the summer of 1940, the Nazis were evaluating various proposals to deport European Jews to the French colony of Madagascar, an island off the coast of southeastern Africa (Browning 1978). But they were unable to work out the details, as the German Foreign Office and the SS clashed on specifics and as Germany's faltering air campaign against the British preoccupied Nazi officials.

During the early years of the war Jews were increasingly herded into ghettos and concentration camps (including forced labor camps) where they experienced high rates of

death through starvation and disease (Yahil 1990).<sup>10</sup> The Nazis considered these to be temporary solutions. But prior to the attack on the Soviet Union in June 1941, they seemed resigned to wait for a permanent solution until after the end of the war (Marrus and Paxton 1989; Mommsen 1986).

The Soviet campaign created both new problems and opportunities. The *Einsatzgruppen* units (Operational Squads of the Security Service and Security Police), which followed the German *Wehrmacht* into Soviet territory, were assigned the task of liquidating elements of the conquered population, particularly Jews. The decision to murder civilians, which went beyond the scope of any necessary military operations, indicates a qualitative change in Nazi policy. However, the decision to eliminate undesirable populations was not unprecedented. Between 1940 and 1941 the Nazis had implemented a euthanasia program that put to death thousands of persons, including children, who were interned in German medical facilities. The technique of gassing, which was later used in extermination camps, was developed by German physicians and scientists who had worked in the euthanasia program (Lifton 1986; Milton 1990; Rubenstein and Roth 1987).

According to historians' constructions, the decision to unleash the *Einsatzgruppen* forces on the eastern front was taken prior to the Soviet invasion, but a second decision was made later that marked a definitive departure from previous Jewish policy (Hilberg 1985). The Nazis had concluded, in the words of one official, that "The Jewish Question must be resolved in the course of the war, for only so can it be solved without a worldwide outcry" (quoted in Browning 1978, p. 83). Though Hitler appears to have given an oral directive, he never issued a written order for the "final solution" (Bauer 1991b). Rather, at the end of July 1941, Reinhard Heydrich, head of the Reich Security Main Office, received written orders from Hermann Göring, Hitler's chief deputy, to "make all the preparations in organizational, practical, and material matters necessary for a total solution of the Jewish question in territories under German influence," and to submit a master plan "in the near future" (cited in Schleunes 1970, p. 175). Hilberg characterizes Göring's directive as an "authorization to invent . . . something that was not as yet capable of being put into words" (quoted in Lanzmann 1985, pp. 72–73). In January 1942 the directive to work out the details of a plan was officially transmitted to a group of high-ranking Nazi functionaries at the Wannsee Conference. Thus the "natural history" of claims and solutions to the "Jewish problem" had evolved to a point where it was now possible to construct a "final solution."

## IMPLEMENTING SOLUTIONS: THE BUREAUCRACY OF DESTRUCTION

As the events that culminated in the "final solution" unfolded, numberless individuals performed the mundane tasks that put specific policies into action. Historical accounts suggest that the key to the success of the entire enterprise was the bureaucracy—the civil administration, railway system, local police, foreign service, and other administrative units—that was far too complex and expansive to have been operated by a handful of persons (Bauman 1989; Hilberg 1985; Mommsen 1991). However, the bureaucracies that implemented the anti-Jewish campaign, including the "final solution," were for the most part not the creation of the Nazis, and the bureaucrats who assumed responsibility for implementation often acted as if they were engaged in the most ordinary operations.<sup>11</sup>

Upon seizing state power the Nazis inherited a rather sophisticated bureaucratic apparatus (Rubenstein and Roth 1987). While new offices were created and Nazi specialists on

Jewish affairs placed into influential positions, the Nazis “never had to restructure or permeate extensively” the bureaucratic organizations that devised and implemented solutions to the “Jewish problem” (p. 237). Some of the entrenched bureaucrats did resist Nazi attempts to usurp their authority, but they most readily made concessions in the area of Jewish affairs (Mommesen 1986).<sup>12</sup>

Many of the bureaucrats of the Third Reich were bright, ambitious university (often law) graduates who sought successful administrative careers and who “understood that power and influence were at stake in managing well the Jewish affairs that fell to them” (Rubenstein and Roth 1987, p. 237). They competed with each other to expand their political domains, and they sought their superiors’ favor by pursuing and attempting to anticipate their wishes (Browning 1989). At times they even engaged in speculative interpretations about what these wishes actually were (Bankier 1988). But irrespective of this micro-politics, the implementation of solutions was constructed in terms of “organizationally embedded” accounts and practices that enabled role occupants to make sense of and justify their actions (see Miller and Holstein 1989, p. 7). In the Nazi era, bureaucrats relied upon three generic social processes that underlie organizational solutions to problems: *authorization*, *routinization*, and *dehumanization* (see Kelman and Hamilton 1989).

### Authorization

Solutions to the “Jewish problem” were accomplished in organizational contexts of legitimate authority where individuals felt obligated to follow orders and “respond in terms of their role obligations rather than their personal preferences” (Kelman and Hamilton 1989, p. 16). For the most part retrospective accounts of former Nazi officials indicate that they carried out their duties simply because it was the proper thing to do. For example, a former Gestapo interrogator recalled that “I was simply doing my duty—no more nor less! I had nothing to be ashamed of. . . .” (quoted in Engelmann 1986, p. 280). Similarly, Rudolf Hoess, the former commandant of Auschwitz, observed that “from our entire training the thought of refusing an order just didn’t enter one’s head, regardless of what kind of an order it was. . . . I naturally had to obey” (quoted in Gilbert 1950, p. 255).

Authorization norms also allow role occupants to avoid taking responsibility for the consequences of their actions. They view themselves as having no choice to act otherwise for they are “merely extensions of authority” (Kelman and Hamilton 1989:16). As Hoess recalls:

It didn’t even occur to me . . . that I could be held responsible. . . . [I]n Germany, it was understood that if something went wrong, then the man who gave the orders was responsible. . . . I didn’t think that I would have to answer . . . (quoted in Gilbert 1950, p. 255).

A similar denial of responsibility is illustrated by the responses of Franz Grassler, former deputy commissioner of the Warsaw Jewish ghetto, in a conversation with filmmaker, Claude Lanzmann (1985, pp. 192–193).

Lanzmann: You were important. . . . You were second to the commissioner.

Grassler: You overestimate my role. . . . I had no power.

Lanzmann: . . . You were part of the vast German power structure.

Grassler: . . . [A] small part. You overestimate the authority of a deputy of twenty-eight . . .

Lanzmann: [Y]ou were . . . mature. . . . You had a doctorate.

Grassler: Yes, but for a lawyer who got his degree at twenty-seven, it's just a beginning. . . . The title proves nothing.

Grassler's account notwithstanding, it is important to note that bureaucratic authorization norms do not preclude innovation in devising solutions to problems (Blau 1955). Implementation of solutions requires flexibility in response to practical circumstances and reassessment and reformulation of policies in light of past failures (Miller and Holstein 1989). In their efforts to solve the "Jewish problem," bureaucrats in the ranks submitted proposals to their superiors who returned them with authorizations to proceed. The solutions devised were often a response to problems incurred in the field. For instance, the initial method of killing, mass shootings, was inefficient and caused extreme anxiety and depression among the executioners, who resorted to heavy drinking to cope with their stress (Browning 1991; Rubenstein and Roth 1987). Even Heinrich Himmler, head of the SS, found the shootings so disturbing to watch that he demanded that more "humane" methods be found. After carbon monoxide-filled gas vans proved unsatisfactory as well, the more efficient Zyklon B-filled gas chambers and crematories were eventually employed (Adam 1989).

According to Hilberg's (1985, p. 263) account, the bureaucrats of the Third Reich "displayed a striking path-finding ability in the absence of directives, a congruity of activities without jurisdictional guidelines, a fundamental comprehension of the task even when there were no explicit communications." Practically speaking, the "final solution" could not have been accomplished "if everyone . . . had to wait for instructions" (Hilberg 1989, p. 127). But "[i]nitiative from below obviated the necessity for orders from above" (Browning 1978, p. 184).

Eichmann is perhaps the quintessential example of such bureaucratic initiative (see Note 2). During the latter years of the war, he bypassed his superiors' wishes and continued to divert scarce railway resources from the war effort in order to transport Jews to extermination camps (Katz 1982). Similarly, Franz Stangl, the former commandant of the Treblinka camp, remarked about his commitment to his work.

I had to do [my job] as well as I could. That is how I am. . . . My professional ethos was that if something wrong was going on [in the camp] then it had to be found out. That was my profession; I enjoyed it. It fulfilled me (quoted in Sereny 1983, pp. 162, 229).

### Routinization

In addition to authorization norms, routinization in bureaucracies obviates the need to make decisions and minimizes "the occasions in which moral questions arise" (Kelman and Hamilton 1989, p. 18). Each individual in the organizational division of labor is delegated a small portion of responsibility which in itself has no particular meaning. This makes it easier to evaluate the results in an ethically neutral manner and "to forget the nature of the product that emerges from the process" (p. 18). Bureaucrats value only their



competence, efficiency, and problem-solving abilities: it is the responsibility of others to decide the broader implications of their actions (Bauman 1989; Sabini and Silver 1980). As Grassler explained (Lanzmann 1985, p. 182):

[W]e knew nothing about . . . [t]he policy that wound up with extermination. . . . Our job was to maintain the ghetto and try to preserve the Jews as a work force. . . . [Our] goal . . . was very different from the one that later led to extermination.

Much of the practical work that helped accomplish the Holocaust was conducted by individuals who were able to keep their hands clean and facilitate the "final solution" without ever having to leave their desks. Hilberg (1989, pp. 120–121) notes that:

The questions with which these men were concerned were almost always technical. How was a "Jewish enterprise" to be defined? Where were the borders of a ghetto to be drawn? What was to be the disposition of pension claims belonging to deported Jews? How should bodies be disposed of? These were the problems pondered by the bureaucrats in their memoranda, correspondence, meetings, and discussions.

To a large extent it was the very mundaneness of their work—the processing of papers, the exchange of memos, and the diligence with which everyone carried out their tasks—that reinforced the view that what was going on must have been "perfectly normal, correct, and legitimate" (Kelman and Hamilton 1989, p. 18). In addition, the bureaucratic use of language cushioned individuals from acknowledging the ultimate fate of their victims. For instance, no mention of "killings" or "killing installations" was allowed, either verbally or in the various memoranda that reported such operations; and the term, "final solution," was itself an obvious euphemism (Hilberg 1985).

A classic example of bureaucratic routinization during the Holocaust is the German railroad or *Reichsbahn*. Nearly all of the three million Jews who were sent to the concentration/extermination camps were transported by rail. The railroad bureaucrat was able to fulfill this functional role in part by conceiving of the transportation of Jews to the camps as equivalent to the transportation of any other passenger to any other destination. Through a process of "typification," the bureaucrat was able to ignore the unique features of a task and place it in the same category as other acts that share similar traits or qualities (see Schutz 1962).

Thus the railroad bureaucrats did not have to deviate much from the routine ways in which they went about booking normal train passengers. Jews were transported to any camp destination as long as the *Reichsbahn* was compensated for its services. The only variation from routine was that although Jews were transported like cattle in boxcars, they were booked as people riding in passenger cars (Hilberg 1989). As Hilberg describes it:

The *Reichsbahn* was ready to ship . . . any cargo . . . so long as [it was] paid by the track kilometer. . . . The rate was the same throughout the war, [w]ith children under ten going at half-fare and children under four going free. Payment had to be made for only one way. The guards, of course, had to have return fare . . . because they were [returning] to their place of origin (quoted in Lanzmann 1985, p. 142).

The party responsible for payment was the Gestapo, which had no separate budget for its transportation needs. However, the proceeds from the Jews' confiscated property was usually enough to cover the costs, as long as the railroads agreed to offer group fares.

The Jews were . . . shipped in much the same way . . . [as] any excursion group. . . . [They were] granted a special fare if . . . enough people . . . [were] traveling. The minimum was four hundred. . . . So even if there were fewer, . . . it would pay to say there were . . . [more to] get the half-fare. . . . [I]f there [was] exceptional filth in the cars . . . [or] damage to the equipment, which might be the case because the transports took so long and because five to ten percent . . . died in route, . . . there might be an additional bill for that damage (pp. 142–143).

Walter Stier, as head of East Bound Traffic, booked Jews on their way to death camps. In an interview with Lanzmann (1985), he remarked that the:

. . . work was barely different from . . . [any other] work . . . , preparing time tables [and] coordinating the movement of special trains with regular trains (p. 133).

When asked whether he knew about the Jews' destination, he replied:

Of course we knew. I was the last district; without me these trains couldn't reach their destination. . . . We were at war . . . and [with] the allies advancing everywhere, those people had to be concentrated in camps (pp. 135–136).

When asked whether he knew that the destinations were extermination camps, he denied having any knowledge.

Good God, no! How could we know? . . . It was never said outright. . . . I never went to Treblinka. I stayed in Krakow, in Warsaw, glued to my desk. . . . I was strictly a bureaucrat! (pp. 135–136).

### Dehumanization

Rubenstein and Roth (1987, p. 192) suggest that the status of being "human" is itself a social construction, for individuals who do not belong to a community that is "willing or able to protect their rights may be biologically human but politically they are *nonpersons*") (my emphasis). Indeed, the bureaucrats of the Third Reich constructed the "final solution" in an interpretive climate in which anti-Jewish policies were warranted in light of a commonly held collective representation that had dehumanized (and demonized) the Jews and a legal system that had juridically transformed them into "nonpersons." This made it possible for the bureaucrats to abandon any "residual sense of shared humanity" with their Jewish victims and view their actions as legitimate instances of solving a grave and pressing social problem (p. 191; see Note 1).

As historical constructions indicate, the war itself was central to the process by which solutions to the "Jewish problem" evolved into the extermination program. "Dehumanization of the enemy" is common in all war situations (Kelman and Hamilton 1989, p. 19), and Nazi claims-makers promoted the belief that the Jews were responsible for a relentless assault that was being waged against the German people and for the obliteration of

German cities through “strategic bombing” (Dadrian 1990, p. 135). For example, in one case a commanding officer informed his troops, who were assigned the task of liquidating a Jewish ghetto and killing all those who were unable to work (including women and children), that it might “make their task easier . . . if they remembered that in Germany bombs were falling on the women and children . . . [and] that the Jews of this village had supported the partisans” (Browning 1991, pp. 200–201). As Himmler asserted: “We had the moral right vis-a-vis our people to annihilate this people which wanted to annihilate us” (quoted in Hilberg 1985, p. 285).<sup>13</sup>

Moreover, as time went on the dehumanization process had a tendency to feed upon itself. Kelman and Hamilton (1989, p. 19) note that:

Those who participate as part of the bureaucratic apparatus . . . come to see their victims as bodies to be counted and entered into their reports, as faceless figures that will determine their productivity rates and promotions. Those who participate in the massacre directly . . . are reinforced in their perception of the victims as less than human by observing their very victimization.

In the concentration camps, for instance, life was organized to eliminate all signs of humanity—inmates heads were shaven and they were given tattooed numbers and identical clothing (Des Pres 1976). By the time victims were sent to the gas chambers, they were so emaciated from starvation that they indeed looked less than human (the *muselmann*). When asked why it was important to degrade, humiliate, and brutalize camp inmates who were going to be killed anyway, Treblinka commandant Stangl replied:

To condition those who actually had to carry out the policies, to make it possible for them to do what they did. . . . [W]hen you look at people . . . without any identity and that aren't human anymore, you feel . . . [t]hese are not humans. . . . I am not a murderer (quoted in Koonz 1987, p. 412).

## CONCLUSION

Although historians have dominated research on the Holocaust, many remain confounded by the “banality of evil” paradox. In this article I argued that understanding of the “banality of evil” can be advanced by reframing previously unsynthesized research in terms of a constructionist theory of social problems. By providing the first application of constructionism to a genocidal event, I showed that the social processes that construct genocide parallel those that construct other social problems, and that it is this correspondence that makes the construction of the “Jewish problem” and its “final solution” banal.

I viewed the “Jewish problem” and its “final solution” as having a “natural history” that is characterized by the development and unfolding of claims about problems and the formulation and implementation of solutions to problems. I traced the construction of the “Jew” throughout history and as it was identified, acknowledged, and applied in a particular sociocultural and political context. A more complete assessment of the “banality of evil” that constituted the Holocaust would need to incorporate a broader range of issues. These include, but are not limited to, political party organizational strategies; the role of German business and other professions; patterns of collaboration, accommodation, and resistance in other European countries and in the Jewish communities themselves; and

reactions of Allied governments. In addition, further examination of the "banality of evil" should focus on the personal lives of Nazi officials, who were able to return home from their "dirty work" to a normal and loving family environment (Koonz 1987). Constructing a barrier between public and private spheres was integral to their ability to maintain a positive valuation of what they were doing.

Finally, a complete "natural history" of the Holocaust does not end with the defeat of the Third Reich. Spector and Kitsuse (1987, p. 142) criticized earlier "natural history" models (see Blumer 1971; Fuller and Myers 1941) for assuming "the official response or implementation of policy as the final stage of the problem." Thus further theoretical integration from a constructionist perspective is needed to reframe the growing research literature on the post-event memory of the Holocaust (see Note #1; Hayes 1991; Langer 1991; Markle and McCrea 1990; Miller 1990; Schmitt 1989; Young 1988, 1992).

Beyond this, analyses of the Holocaust and other genocides need to become more central not just to social problems theory, but to more general social theories as well (Bauman 1989; Horowitz 1984). While the Holocaust may remain the "reference point" or "ground zero" of human suffering, failing to generalize from this experience leaves us vulnerable to not knowing "whether we have been, are, or will be a party to something similar" (Porpora 1990, pp. 4, 136). As I have shown in this article, a dehumanized group like the Jews can be created, isolated, and exterminated through social processes that are in themselves quite ordinary or banal.

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### NOTES

1. The term, "Holocaust," was not applied to the Jewish experience under Nazism until the late 1950s (Bauer 1978). In this article I do not examine the post-event construction of the Holocaust, i.e., the process by which the deaths of the Jews were retrospectively defined as the "Holocaust." It is the victors of wars who write "history." If Germany had won the war, the "Holocaust" as such would not have existed but would have been described as something else—as solving the "Jewish problem." In contemporary Germany there is a movement within politics and academe that has attempted to relativize or normalize the Holocaust by equating the experiences of the Jews under Nazism to the experiences of persecuted minorities in other countries (see Evans 1989; Maier 1988).

2. The "banality of evil" paradox was first introduced into the Holocaust literature by Arendt (1963), who reported on the trial of Adolph Eichmann. Eichmann, a one-time traveling salesman for the Vacuum Oil Company, was the leading Nazi expert on Jewish affairs and a key engineer of the "final solution." In 1961 he was put on trial in Israel for "war crimes" and "crimes against humanity." Psychiatrists at the trial indicated that he was "clinically well adjusted" and held a "very positive attitude toward family and friends" (Porpora 1990, p. 16). Eichmann denied that he held any ill-feeling toward Jews and claimed that he joined the Nazi Party to further his career, not to pursue any ideological objective. He appeared to be "an ordinary bureaucrat who was merely carrying out the duties of his office" (p. 16), a man who "would have done the same job if he had been ordered to kill all men whose name began with P or B, or all who had red hair" (Askenasy 1978, p. 27).

3. Some insights bearing on the "banality of evil" have been anticipated in previous sociological work. For instance, Hughes (1962, pp. 4, 7) asks how the Holocaust could have happened while

"millions of ordinary, civilized German people" looked on, and answered that those "who do the dirty work of society . . . [may be] acting as agents for the rest of us." More recently, Bauman (1989) argues that the Holocaust was not an anomalous breakdown of German society or an exceptional historic collapse into barbarism, but was rooted in the very essence of modern technological-bureaucratic society.

4. In "On the Jews and Their Lies," Luther advised his followers: "We are at fault in not slaying them. . . . [S]et fire to their synagogues or schools and . . . bury and cover with dirt whatever will not burn. . . . [T]heir houses [should] also be . . . destroyed. . . . This is to be done in honor of our Lord and of Christendom . . . " (cited in Rubenstein and Roth 1987, pp. 57–58).

5. This claim was adopted from *The Protocols of the Elders of Zion*, which was widely circulated and accorded considerable credibility in Europe in the late nineteenth and early twentieth centuries (Yahil 1990).

6. During the 1932–1933 period in which Hitler achieved power, the Nazi Party received from 33 to 44 percent of the *Reichstag* vote (Hamilton 1982). While those who voted for the Nazis may have found the Party's antisemitism less attractive than its program of economic recovery, its appeal to nationalism, and its opposition to communism (Porpora 1990), they were not repelled by the Party's anti-Jewish stance (Bauer 1990; Kater 1984).

7. Many people appeared ready to take advantage of official anti-Jewish policy for the most ordinary, even petty, reasons. For instance, someone might denounce an economic competitor, a neighbor with whom they had quarreled, or a spouse from whom they wished to obtain a divorce (Gellately 1988).

8. This legislation exempted "non-aryans" who had held their positions since 1 August 1914 and had either fought at the front for Germany in World War I or were the son or father of a soldier who had been killed in that war.

9. Subsequent legislation passed at the end of the decade extended the list of occupations from which Jews were completely barred, prohibited Jews from owning retail establishments or from owning or being on the board of directors of business firms, and prohibited Jews from working with Germans. Jews were also required to sell or liquidate all industrial and real estate holdings, and in many cases, their assets were confiscated by the state. In addition, Jews were forbidden to enter particular public places at certain times, were forced to live in certain houses or residential districts, and required to wear specially marked clothing (Rubenstein and Roth 1987). At the same time, increasing numbers of them were sent to concentration camps, especially after the *Kristallnacht* pogrom of November 1938.

10. Of the five to six million Jews who died during the Holocaust, 16 percent died through general privation and ghettoization, 25 percent died in open-air shootings, and 58 percent died in concentration/extermination camps (Hilberg 1985). Chelmo, the first concentration camp that was explicitly designed for the purpose of extermination, did not open until December 1941.

11. Hughes (1962) may have erred in assuming a dichotomy between "good people" and "dirty work," for "many dirty workers are really no different from the good people. . . . [T]hey are good people *doing* dirty work" (Davis 1984, p. 234).

12. Spector and Kitsuse (1987, p. 142) note that claims-makers are often dissatisfied with established institutional procedures for dealing with a newly defined problem and that they may develop "alternative, parallel, or counter-institutions." For discussions of how this issue pertains to the relationship between the Nazi Party and the evolving bureaucracies of the Third Reich, see Gellately (1990), Koehl (1983), and Mommsen (1986; 1991).

13. In a speech to his SS troops, Himmler added:

Most of you . . . know what it means to have seen 100 corpses together, or 500, or 1,000. To have made one's way through that, and—some instances of human weakness aside—to have remained a decent person throughout, that is what has made us hard . . . [and] is a page of glory in our history that . . . never will be written (quoted in Remak 1969, p. 154).

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